UNCASE 1:07-CE-07794-PKC-JCF<sub>OUR</sub> Pocument 14 Filed 03/12/2008 Page 1 of 2 SOUTHERN DISTRICT OF NEW YORK

DEBRA A. BRYANT,

: 07 Civ. 7794 (PKC) (JCF)

Plaintiff,

MEMORANDUM AND ORDER

- against -

4.5 4.1.1.2 v

NEW YORK STATE PSYCHIATRIC INST., :

Defendant.

Delendant.

JAMES C. FRANCIS IV UNITED STATES MAGISTRATE JUDGE

Debra A. Bryant, the <u>pro se</u> plaintiff in this case, has applied for appointment of counsel. (Docket no. 9). The threshold consideration in ruling on such an application is a showing of some likelihood of merit. <u>Cooper v. A. Sargenti Co.</u>, 877 F.2d 170, 172-74 (2d Cir. 1989). Based on discussions at today's pretrial conference, the plaintiff does not appear to meet this standard. Accordingly, her application is denied without prejudice to renewal at such time as she can proffer some evidence corroborating her claims, particularly with respect to damages.

SO ORDERED.

JAMES C. FRANCIS IV

UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York

March 12, 2008

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